

Women on Waves movement developed the clinic on the ship to meet their mission of preventing unwanted pregnancies and unsafe abortions throughout the world.

Meanwhile, a recent private meeting of the Irish Medical Council, which was scheduled to debate the All Party Oireachtas Committee Report on Abortion, apparently collapsed after attempts were made to change the council's ethical ban on abortions.

Doug Payne *Dublin*

German research society apologises to victims of Nazis

After more than 50 years Germany's main research organisation, the Max Planck Society, has accepted historical responsibility for crimes committed by Nazi doctors.



Otmar von Verschuer

At a symposium on biomedical sciences and human experimentation at the Kaiser Wilhelm Institute in Berlin last week, the president of the society, biologist Hubert Markl, apologised to all victims of Nazi doctors, some of whom were present at the symposium.

"Like other German institutions, the Max Planck Society has ignored its historical responsibility too long," said Professor Markl.

The society was founded in 1948 and took over the Kaiser Wilhelm Society, founded in 1911. In 1997, Professor Markl established an independent research committee to look at the history of the Kaiser Wilhelm Society during national socialism.

Scientists at the Kaiser Wilhelm institutes included Otmar von Verschuer who conducted studies on twins in cooperation with his former pupil Josef Mengele.

The Max Planck Society has said that: "Today it is safe to say that von Verschuer knew of the crimes being committed in Auschwitz and that he, together with some of his employees and colleagues, used them for his purposes." Von Verschuer later became president of the Max Planck Society.

Annette Tuffs *Heidelberg*

Gene test could help detect colorectal cancer

DNA from colorectal cancer cells that have been shed can be isolated from faeces and tested for the presence of most colorectal cancers using three genetic mutations associated with tumours, a new study says.

Dr Jin Jen, from the National Institutes of Health in Bethesda, Maryland, and colleagues, developed a method of purifying DNA from stool samples and then compared paired DNA samples from stools and tumours from 51 patients with colorectal cancer. They looked specifically for three gene mutations commonly found in colorectal cancer: TP53, BAT26, and K-RAS (*Journal of the National Cancer Institute* 2001;93:858-65).

Using these three genetic markers, the researchers were able to identify 71% of the 51 patients with colorectal cancer and 92% of the 39 patients with tumour alterations.

Among 30 patients the researchers found identical mutations of TP53 in both the tumour and the stool sample. In three patients there was a non-inherited deletion at the BAT26 locus, which was identical with that found in the stool.

Scott Gottlieb *New York*

Tobacco industry to pay damages to smoker and insurance firm

Fred Charatan *Florida*

The tobacco industry was hit by two legal judgments in the United States last week. It was ordered to pay \$3bn (£2.1bn) in punitive damages to a smoker who had developed brain and lung cancer and \$30m to an insurance company who claimed damages for having to care for sick smokers.

In one of the largest individual damage awards ever made against the tobacco industry, a Los Angeles jury ordered Philip Morris to pay 56 year old Richard Boeken \$3bn in punitive damages and about \$6m in compensatory damage. Mr Boeken has cancer of the brain and lung. Mr Boeken, who said he began smoking Marlboro cigarettes at the age of 13, had accused the cigarette maker of fraud, conspiracy, and negligence.

Philip Morris immediately vowed to appeal against the verdict, saying that the plaintiff had ignored health warnings by smoking two packs of Marlboros a day for more than 40 years.

Earlier in the week, a jury in a Brooklyn, New York, federal court had unanimously awarded the health insurer, Empire Blue Cross Blue Shield, \$29.6m compensation from cigarette makers Philip Morris, R J Reynolds, Brown and Williamson, Lorillard, and Liggett.

Empire, the largest health insurer in New York with 4.3 million subscribers, had sought over \$3bn in damages to cover the cost of caring for sick smokers.

Empire's lawyers argued that the tobacco companies had lied

for 50 years about the risks of smoking, covering up damaging research and encouraging children to smoke.

Vincent Fitzpatrick, lead lawyer for the insurer, said that the verdict set an important precedent; he added, "I'm very pleased that for the first time a third party payer has prevailed."

After four days of deliberations the jury found that the tobacco companies had engaged in deceptive practices but rejected charges of racketeering and fraud.

The tobacco companies said that Empire had suffered no economic damage because it passed the costs of caring for people with smoking related diseases on to its customers by increasing premiums. All the tobacco companies plan to appeal against the verdict.

Generally health insurers and labour funds have followed the example of the states' attorneys general who have sued the tobacco industry to recover Medicaid funds spent to treat smokers. None of the state cases ended in a verdict. Instead, tobacco companies and the states reached agreements in 1997 and 1998 that require the tobacco industry to pay \$246bn over 25 years (*BMJ* 1999;319:869).

During the past two years, however, rulings by federal appeals courts have dismissed many similar cases on the grounds that financial injuries claimed by third party payers are too remote from the actual harm suffered by smokers. □



Michael Pinze, attorney for Richard Boeken